

## **Education Accountability Commission**

Proposed by Sen. Howard Stephenson

November 1, 2013

### **A. Definitions**

As used in this section:

- (1) "Commission" means the Education Accountability Commission;
- (2) "Cut score" means the minimum scale score of a proficiency level;
- (3) "NAEP" means the National Assessment of Educational Progress;
- (4) "Proficiency level descriptor" means a description of what students know and are able to do by content area, grade or course, and proficiency level; and
- (5) "Statewide assessment" means an assessment of student achievement in language arts, mathematics, or science that is administered:
  - (a) statewide;
  - (b) in a computer adaptive format; and
  - (c) under Title 53A, Chapter 1, Part 6, Achievement Tests.
- (6) "USOE" means the Utah State Office of Education, which is the staff of the State Board of Education.

### **B. Education Accountability Commission created.**

- (1) The Education Accountability Commission is created to establish proficiency levels, proficiency level descriptors, and cut scores for statewide assessments as provided in this section and to ensure accuracy and widespread availability of data on the USOE's Data Gateway.

### **C. Membership**

The commission consists of:

- (1) the Lieutenant Governor;
- (2) three members appointed by the State Board of Education to represent the state system of public education;
- (3) three members appointed by the commissioner of higher education to represent the state system of higher education; and
- (4) three members appointed by the governor to represent employers in the state.

### **D. Terms of office.**

- (1) Except as provided by Subsections (2) and (3), the members appointed by the State Board of Education, commissioner of higher education, or governor shall be appointed to four-year terms.

(2) The State Board of Education, commissioner of higher education, and governor shall, at the time of appointment or reappointment, adjust the length of the terms to ensure that the terms of the commission are staggered so that approximately half of the commission is appointed every two years.

- (3) When a vacancy occurs in the membership for any reason, the replacement shall be appointed for the unexpired term.

### **E. Chair**

- (1) The Lieutenant Governor is chair of the commission.
- (2) The chair shall set the agenda for commission meetings.

### **F. Compensation**

A member of the commission may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:

- (1) Section 63A-3-106;
- (2) Section 63A-3-107; and
- (3) rules made by the Division of Finance pursuant to Sections 53A-3-106 and 65A-3-107.

**G. Proficiency Levels - Proficiency Level Descriptors**

- (1)(a) The commission shall identify and generally describe four levels of proficiency that are applicable to all statewide assessments.
- (b) The general descriptions of the four proficiency levels shall be used as a guideline to develop proficiency level descriptors for each statewide assessment.
- (2) The commission shall develop proficiency level descriptors for each statewide assessment.
- (3) Proficiency level descriptors for the top two levels of proficiency shall describe the knowledge or skills that a student should obtain to be:
  - (a) on a trajectory for postsecondary success; and
  - (b) prepared for entry-level course work without remediation in postsecondary education or training.

**H. Cut Scores**

- (1) The commission shall set the cut scores for the top three proficiency levels for each statewide assessment.
- (2) The performance of Utah students on the NAEP shall be a benchmark in setting cut scores, so that the percentage of students who are proficient in English language arts, mathematics, or science as measured by a statewide assessment is approximately equal to the percentage of Utah students who are proficient in the same subject as measured by the NAEP.

**I. Procedures for developing proficiency levels, proficiency level descriptors, and cut scores**

- (1) The commission shall establish procedures for developing proficiency levels, proficiency level descriptors, and cut scores for statewide assessments.
- (2) Procedures established under Subsection (1) shall provide for the active participation of educators, content area specialists, parents, higher education representatives, and employers in developing proficiency levels, proficiency level descriptors, and cut scores.

**J. Data accuracy and availability**

The commission shall ensure that data on the USOE's Data Gateway is accurate and widely available.

**K. Staff support.**

Staff of the State Board of Education, through the state superintendent of public instruction, shall provide staff support to the commission.